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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF :

Elisabeth PICARD-LESBOUEYRIES, et al.: EXAMINER: JIANG

SERIAL NO.: 09/941,589 :

FILED: AUGUST 30, 2001 : GROUP ART UNIT: 1617

FOR: FOAMING COSMETIC CREAM FOR TREATING
GREASY SKIN AND METHODS FOR USING THE SAME

AMENDMENT AND REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Office Action mailed February 26, 2003, Applicants respectfully request reconsideration of the above-identified application.

REMARKS

Claims 1, 2, and 4-29 are active in this application.

Applicants wish to thank Examiners Jiang and Padmanabhan for the courtesy of meeting and discussing this application with the Applicants' undersigned representative. The following serves to summarize and reinforce the substance of that discussion.

As discussed, the claims in this application are directed to foaming cream compositions with a surfactant system such that at least one paracrystalline phase of the direct and/or cubic hexagonal type appears when the temperature increases above 30°C and remains present up to at least 45°C, and an active agent (anti-seborrhoeic or antimicrobial agent). This surfactant

Docket No. 211813US0

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COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is an amendment in the above-identified application.

- No additional fee is required
- Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- Additional documents filed herewith: Attached to the response: Publication by James Cook and Advances in Liquid Crystals (Brown, G.H. (ed.)(1975) Academic Press

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	28	MINUS	29	0	x \$18 =	\$0.00
INDEPENDENT	2	MINUS	3	0	x \$84 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$280 =	\$0.00
						\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00
						TOTAL
						\$0.00

- A check in the amount of \$0.00 is attached.
- Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read "Richard L. Treanor".

Richard L. Treanor, Ph.D.
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